

UNITED STATES DISTRICT COURT

for the
District of Delaware

XPOINT TECHNOLOGIES, INC.,

Plaintiff

v.

MICROSOFT CORPORATION, et al.

Defendant

Civil Action No. 09-cv-00628(SLR)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* ASUS Computer International
800 Corporate Way
Fremont, CA 94539

A lawsuit has been filed against you.

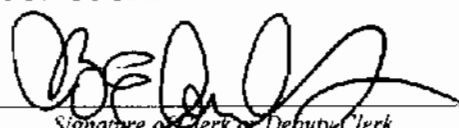
Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

David J. Margules, Esquire
Sean M. Brennecke, Esquire
BOUCHARD MARGULES & FRIEDLANDER, P.A.
222 Delaware Avenue, Suite 1400
Wilmington, DE 19801

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 09/21/2009


Signature of Clerk or Deputy Clerk

RETURN OF SERVICE

UNITED STATES DISTRICT COURT District of Delaware

Case Number: 09-CV-00628 (SLR)

Plaintiff:

XPoint Technologies, Inc.

vs.

Defendant:

Microsoft Corporation, et al

For:

David J. Margules, Esq.

Bouchard, Margules & Friedlander

222 Delaware Ave, Ste 1400

Wilmington, DE 19801

Received by Brandywine Process Servers, LTD on the 21st day of September, 2009 at 2:23 pm to be served on **ASUS Computer International, 800 Corporate Way, Fremont, CA 94539.**

I, Frank Smith, do hereby affirm that on the **22nd day of September, 2009 at 4:20 pm, I:**

Served a true copy of the, **Summons in a Civil Action; Amended Complaint for Patent Infringement with Exhibit A**, on the listed individual in said action by hand delivering true copies thereof to the following ;

ASUS Computer International, 800 Corporate Way, Fremont, CA 94539,

by serving: **Yvonne Diaz , Apparently In Charge**

I also served the **Summons in a Civil Action; Amended Complaint for Patent Infringement with Exhibit A** by enclosing them in a sealed envelope with postage fully prepaid on **9/24/2009, From San Jose, California** and **placing** the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with United States Postal Service. The envelope was addressed and mailed as follows

ASUS Computer International ,

800 Corporate Way, Fremont, CA 94539 ,

Description of Person Served: Age: 40, Sex: F, Race/Skin Color: Hispanic, Height: 5'2", Weight: 140, Hair: Dark, Glasses: N